

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Ryan Tavon Berrie

Docket No. 7:20-MJ-1344-1RN

Petition for Action on Probation

COMES NOW Melissa K. Lunsmann, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Ryan Tavon Berrie, who, upon an earlier plea of guilty to Level V DWI, in violation of 18 U.S.C. § 13-7210, assimilating NCGS 20-138.1, was sentenced by the Honorable Robert T. Numbers, II, U.S. Magistrate Judge, on April 8, 2021, to 6 months probation under the conditions adopted by the court.

On June 25, 2021, a Petition for Action on Probation was submitted advising the court that the defendant tested positive for marijuana on two separate occasions. The court agreed to extend supervision by 2 months to allow the defendant the opportunity to complete substance abuse and DWI treatment.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On October 7, 2021, the defendant submitted to urinalysis screening that tested positive for marijuana use. He admitted to using marijuana and acknowledged that this decision was inexcusable and unacceptable. The defendant is enrolled in substance abuse treatment through PORT Human Services and DWI treatment through Holland Assessment and Counseling in New Bern, North Carolina. It is respectfully recommended that his probation term be extended for an additional 2 months, in order to provide him with ample opportunity to benefit from these services, and to require him to complete 20 hours of community service. He understands that additional violation conduct will result in further sanctions.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:

1. The term of probation be extended for 2 months.
2. The defendant shall perform 20 hours of community service as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, pay the required fee.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ David W. Leake

David W. Leake

Supervising U.S. Probation Officer

/s/ Melissa K. Lunsmann

Melissa K. Lunsmann

U.S. Probation Officer

200 Williamsburg Pkwy, Unit 2

Jacksonville, NC 28546-6762

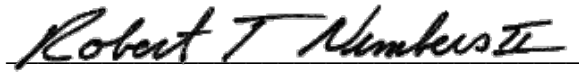
Phone: (910) 346-5103

Executed On: October 13, 2021

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ORDER OF THE COURT

Considered and ordered on October 13, 2021 . It is further ordered that this document shall be filed and made a part of the records in the above case.

A handwritten signature in black ink, reading "Robert T. Numbers, II". The signature is written in a cursive style with a horizontal line underneath.

Robert T. Numbers, II
United States Magistrate Judge